IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

WP(C).No. 24468 of 2007(K)

PETITIONER:

REENA ROSE R.V., D/O.ROHY MESSIAH DAS,
JOSH COTTAGE, MALAYINKEEZH P.O.,
THIRUVANANTHAPURAM.
NOW WORKING AS HSST (PHYSICS)
LMS HSS, VATTAPPARA, THIRUVANANTHAPURAM.

BY ADV. SRI.PAULSON THOMAS

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR OF HIGHER SECONDARY EDUCATION,
OFFICE OF THE DIRECTOR OF HIGHER SECONDARY
EDUCATION, THIRUVANANTHAPURAM.

3. CORPORATE MANAGER,
LMS HIGHER SECONDARY SCHOOLS,
LMS COMPOUND, THIRUVANANTHAPURAM.

4. SHEEJA BAL, HSST (JUNIOR) PHYSICS,
LMS HSS CHEMBOOR.

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.24468 OF 2007

Dated this the 13th day of August, 2007

JUDGMENT

Petitioner is stated to be working as Higher Secondary School Teacher (Physics) (Senior) in LMS Higher Secondary School, Vattappara under the corporate management of respondent no.3. According to the petitioner, he was appointed in the school with effect from January 16, 2006 in the above post.

2. Initially, petitioner was appointed as Higher Secondary School Teacher (Junior) with effect from June 6, 2001. The said appointment was approved as could be seen from Ext.P2, though only with effect from July 4, 2001. Respondent no.4 who was appointed as Higher secondary School Teacher (Junior) with effect from July 16, 2001 had reportedly raised some objection with regard to the precedence given to the petitioner. The said issue was decided against the petitioner as revealed from Ext.P4 order passed by respondent no.2. The grievance of the petitioner is that in Ext.P4, respondent no.2 had placed her below respondent no.4. The date of approval was also changed. This was done without hearing the petitioner. Therefore, the petitioner has preferred

Ext.P5 revision petition before respondent no.1. The limited prayer is to issue a direction to respondent no.1 to take a decision on Ext.P5 without any further delay.

3. In the above facts and circumstances, the writ petition is disposed of with a direction to respondent no.1 to consider and pass orders on Ext.P5 strictly on its merit and in accordance with law as expeditiously as possible, at any rate, within four months from the date of receipt of a copy of this judgment. Needless to mention, respondent no.1 shall ensure that petitioner and respondents 3 and 4 are afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a copy of the writ petition along with a certified copy of the judgment before respondent no.1 for compliance. Petitioner shall also send copies of the above documents to respondent no.3 and 4 by registered post for information.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

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